

United States District Court		DISTRICT of ARIZONA	
United States of America v.		DOCKET NO.	
EDER MANUEL RODRIGUEZ-MOSSO DOB: xx/xx/1989; Mexican Citizen		MAY - 9 2011 MAGISTRATE'S CASE NO.	
		11-08035 M-	
Complaint for violation of Title 18, United States Code § 111(a)			
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:			
<p>On or about May 6, 2011, at or near Topawa, in the District of Arizona, Eder Manuel Rodriguez-Mosso did knowingly and forcibly assault United States Border Patrol Agent David Heller, while Agent Heller was engaged in performance of his official duties, in violation of Title 18, United States Code, Section 111(a).</p>			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:			
<p>On May 6, 2011, at approximately 1:50 pm in Topawa, Arizona, on the Tohono O'odham Indian Nation, United States Border Patrol Agent David Heller was traveling southbound on Federal Route 19 in his marked service vehicle when he observed two subjects on the side of the road carrying backpacks and appearing to be in distress. As Agent Heller approached the subjects, they both started running away from him, leaving their backpacks. Agent Heller got out of his vehicle and walked towards the backpacks, and the subjects returned. Agent Heller inquired as to the subjects' citizenship, and one subject, later identified as Eder Manuel Rodriguez-Mosso, responded that he was from Mexico and that he and his wife (the second subject) were coming to the United States to look for work. Agent Heller told the subjects to follow him. Rodriguez-Mosso did not comply and asked Agent Heller to let him go. Rodriguez-Mosso continued to fail to comply with Agent Heller's commands. When Agent Heller informed Rodriguez-Mosso that he was under arrest, Rodriguez-Mosso flailed his hands and then squared off with Agent Heller in an apparent fighting stance. Rodriguez-Mosso then began running away from Agent Heller. Agent Heller tried to detain Rodriguez-Mosso, at which point Rodriguez-Mosso struck Agent Heller in the head with his hand. Rodriguez-Mosso then swung his arms at Agent Heller with clenched fists and continued to fail to comply with commands. Rodriguez-Mosso repeatedly swung his arms towards Agent Heller, until Agent Heller was eventually able to handcuff Rodriguez-Mosso.</p>			
MATERIAL WITNESSES IN RELATION TO THE CHARGE:			
WARRANT AND DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge. AUSA Angela W. Woolridge <i>Angela W. Woolridge</i>		SIGNATURE OF COMPLAINANT (official title) <i>[Signature]</i>	
Sworn to before me and subscribed in my presence.		OFFICIAL TITLE Border Patrol Agent	
SIGNATURE OF MAGISTRATE JUDGE ¹⁾ <i>Jacqueline Marshall</i>		DATE May 9, 2011	

¹⁾ See Federal rules of Criminal Procedure Rules 3 and 5